

UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF NEW YORK

THE UNITED STATES OF AMERICA

ex rel.

FOX UNLIMITED ENTERPRISES, LLP

Plaintiff/Relator,

Civ. No.: 1:19-cv-00914-GLS-CFH

v.

TRIMARK USA, LLC, TRIMARK GILL
GROUP, TRIMARK GILL MARKETING
F/K/A GILL MARKETING, INC.
GOVERNMENT SALES, LLC
F/K/A GOVERNMENT SALES, INC.,
JOHN DOES #1-50, FICTITIOUS NAMES,

Defendants.

STATUS REPORT

On April 21, 2023, this Court entered a consent judgment in favor of United States of America and Fox Unlimited Enterprises, LLP (“Plaintiff-Relator”) against defendants TriMark USA, LLC, TriMark Gill Group, and TriMark Gill Marketing (collectively, “Defendants”). (Dkt. No. 24).

On April 21, 2023, the Court directed the parties to file a status report on the remaining claims on or before May 22, 2023. (Dkt. No. 25). On May 24, 2023, this Court ordered Plaintiff-Relator to file a status report on the remaining claims on or before May 31, 2023. (Dkt. No. 26).

Pursuant to this Court’s order of May 24, 2023, and with apologies to the Court for the delay in responding, Plaintiff-Relator respectfully submits the following status report.

Remaining Claim

The only remaining claim in this matter is Plaintiff-Relator's claim against Defendants for reasonable expenses necessarily incurred and reasonable attorneys' fees and costs to which it is entitled pursuant to 31 U.S.C. § 3730(d). Counsel for both Plaintiff-Relator and Defendants are currently engaged in the negotiation of this claim.

Plaintiff-Relator anticipates that its claims under Section 3730(d) will be resolved within the next 45 days and respectfully proposes to notify the Court in writing as soon as such a resolution is reached or if more time beyond the 45 days is necessary to finalize the terms of the resolution.

Respectfully submitted,

/s/ Andrew M. Miller

Andrew M. Miller (admitted *pro hac vice*)

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